

From: Add-Hoc Enterprises
To: Microsoft ATR
Date: 1/28/02 5:10am
Subject: DOJ/Microsoft settlement comments

To whom it may concern:

I am writing to express opposition towards the proposed antitrust settlement between the Department of Justice and Microsoft.

Although not trained in legal matters, I believe that a settlement, to be defensible, must provide remedies for the alleged violations affirmed by the Court of Appeals' ruling. The current proposal does not prescribe any remedies for the court's finding of liability for monopolization.

The proposal does not provide adequate reparations for many issues. Many of the provisions apply to Microsoft products and services currently shipping (i.e. Windows Operating System and Microsoft Developer Network,) but changes in computer technology and product branding such as .NET would allow Microsoft to easily bypass these restrictions within the five year life of the settlement. Thus, the settlement should not be tied to particular Microsoft product(s), but should focus on Microsoft's anticompetitive behavior. Also, the provision that prohibits Microsoft from retaliating against businesses that do not support its products lacks a clause to disallow Microsoft to reward companies that do support them (i.e. bonuses and spiffs.)

Ultimately, the proposed settlement would do little to restore competition.

Thank you for your consideration.

Respectfully,

Richard Clayton
Phoenix, AZ